

The article was alleged to be misbranded in that the statements "Net Weight 2½ Lbs.," and "Net Weight 2 Lbs. 8 Ozs.," were false and misleading since the packages contained less than the declared weight. It was alleged to be misbranded further in that it was in package form and failed to bear a label containing an accurate statement of the quantity of the contents.

On August 25, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

CORN MEAL AND FLOUR

5120. Adulteration of corn meal. U. S. v. 142 Bags of Corn Meal. Default decree of condemnation and destruction. (F. D. C. No. 9859. Sample Nos. 41368-F, 41369-F.)

This product was stored under insanitary conditions after shipment in interstate commerce and when examined rodent pellets were found on the bags, many of the bags had been chewed by rodents, and live weevils were observed on the outside of the bags. Examination of the meal showed that it contained beetles, larvae, and insect fragments, and that one lot contained rodent hair fragments.

On April 23, 1943, the United States attorney for the Eastern District of Louisiana filed a libel against 142 96-pound bags of corn meal at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about December 5, 1942, and January 16, 1943, from St. Joseph, Mo., and that it was in possession of Witherspoon Bros.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: "Sea Breeze Cream Corn Meal."

On June 10, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

5121. Adulteration of flour. U. S. v. 45 Bags of Flour and 15 Bags of Flour. Consolidated decree of condemnation. (F. D. C. Nos. 9821, 9822. Sample Nos. 20081-F, 20082-F.)

This product was stored under insanitary conditions after shipment in interstate commerce. Rodent pellets and what appeared to be urine stains were found on the bags. Examination of the samples confirmed the presence of urine on the bags and the flour directly beneath the stained portion.

On April 19, 1943, the United States attorney for the District of Massachusetts filed libels against a total of 60 bags of flour at Boston, Mass., alleging that the article had been shipped in interstate commerce within the period from on or about October 30, 1942, to February 15, 1943, from Island City, Oreg., and Mt. Vernon and Loudonville, Ohio, and that it was in possession of Betty Alden Products, Inc.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, flour contaminated with rodent urine, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was labeled in part: "B. W. Pie All Purpose Pastry Flour," "Blue Ribbon," "White Spear Pastry," "Silver Spike," or "State House Brand Fancy Pastry Flour."

On May 6, 1943, the Betty Alden Products, Inc., claimant, having admitted the allegations of the libel, and the cases having been consolidated, judgment of condemnation was entered and the product was ordered released under bond for segregating and destroying the bad portion under the supervision of the Food and Drug Administration.

5122. Adulteration of flour. U. S. v. 112 Bags of Wheat Flour. Consent decree of condemnation. Product ordered released under bond for denaturing. (F. D. C. No. 9751. Sample No. 23255-F.)

This product was stored under insanitary conditions. Mouse pellets were found on all the bags. Some bags had been gnawed by mice and contained urine stains, and flour removed from a gnawed bag was found to contain a large number of rodent pellets.

On or about April 7, 1943, the United States attorney for the District of New Jersey filed a libel against 112 bags of wheat flour at Trenton, N. J., in the possession of the Original Trenton Cracker Co., alleging that the article had been shipped in interstate commerce on or about October 22, 1942, from Buffalo, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of filthy substances, mouse pellets and urine-stained flour, and in that it had been held under insanitary conditions whereby it may have become contaminated with filth.